

**Amendments to the Claims:**

The listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (original) A travel control device for a hydraulically driven vehicle, comprising:
  - a hydraulic pump driven by a prime mover;
  - a traveling motor driven with pressure oil delivered from the hydraulic pump;
  - a control valve for traveling that controls a flow rate of the pressure oil delivered from the hydraulic pump to the traveling motor;
  - a counterbalance valve switched in response to a motor load pressure supplied via the control valve, that generates a braking pressure at a conduit disposed on a return side of the traveling motor as the load pressure becomes lower;
  - an overspeed detection means for detecting an overspeed state in the traveling motor; and
  - a motor overspeed inhibiting means for inhibiting rotation of the traveling motor if the overspeed detection means detects an overspeed state in the traveling motor until a braking pressure is generated through a switchover at the counterbalance valve and the traveling motor is no longer in the overspeed state.

2. (original) A travel control device for a hydraulically driven vehicle according to claim 1, further comprising:

a rotation speed detection means for detecting a rotation speed of the traveling motor, wherein:

the overspeed detection means detects the overspeed state when the motor rotation speed detected by the rotation speed detection means is equal to or greater than a predetermined value.

3. (original) A travel control device for a hydraulically driven vehicle according to claim 1, further comprising:

an acceleration detection means for detecting an acceleration of the traveling motor, wherein:

the overspeed detection means detects the overspeed state when the motor speed is equal to or higher than a specific level and the motor acceleration detected by the acceleration detection means is equal to or greater than a predetermined value.

4. (currently amended) A travel control device for a hydraulically driven vehicle according to claim 2 ~~or claim 3~~, wherein:

the motor overspeed inhibiting means is a prime mover rotation speed reducing means for reducing a rotation speed of the prime mover to a greater extent when the detected motor rotation speed ~~or motor acceleration~~ is at a

higher level.

5. (currently amended) A travel control device for a hydraulically driven vehicle according to claim 2 ~~or claim 3~~, wherein:

the hydraulic pump is a variable displacement hydraulic pump; and  
the motor overspeed inhibiting means is a pump displacement angle reducing means for reducing a displacement angle of the hydraulic pump to a greater extent when the detected motor rotation speed ~~or motor acceleration~~ is at a higher level.

6. (currently amended) A hydraulically driven vehicle that comprises a drive control device according to any of claims 1 through 5. device, wherein:

the travel control device comprises:

a hydraulic pump driven by a prime mover;

a traveling motor driven with pressure oil delivered from the hydraulic pump;

a control valve for traveling that controls a flow rate of the pressure oil delivered from the hydraulic pump to the traveling motor;

a counterbalance valve switched in response to a motor load pressure supplied via the control valve, that generates a braking pressure at a conduit disposed on a return side of the traveling motor as the load pressure becomes lower;

an overspeed detection means for detecting an overspeed state in the

traveling motor; and

a motor overspeed inhibiting means for inhibiting rotation of the traveling motor if the overspeed detection means detects an overspeed state in the traveling motor until a braking pressure is generated through a switchover at the counterbalance valve and the traveling motor is no longer in the overspeed state.

7. (new) A travel control device for a hydraulically driven vehicle according to claim 3, wherein:

the motor overspeed inhibiting means is a prime mover rotation speed reducing means for reducing a rotation speed of the prime mover to a greater extent when the detected motor acceleration is at a higher level.

8. (new) A travel control device for a hydraulically driven vehicle according to claim 3, wherein:

the hydraulic pump is a variable displacement hydraulic pump; and  
the motor overspeed inhibiting means is a pump displacement angle reducing means for reducing a displacement angle of the hydraulic pump to a greater extent when the detected motor acceleration is at a higher level.